

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

JUL 26 2000

NANCY MAYER-WHITTINGTON, CLERK  
U.S. DISTRICT COURT

IN RE:

VITAMINS ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

HILL'S PET NUTRITION, INC.,

Plaintiff,

v.

F. HOFFMAN LAROCHE, LTD., et al.,

Defendants.

M.D.L. No. 1285

Misc. No. 99-0197 (TFH)

Docket No. 00-4001-RDR

**STIPULATED ORDER REGARDING BRIEFING SCHEDULE  
ON MOTIONS TO DISMISS FILED BY JOHN KENNEDY  
AND ROBERT SAMUELSON**

This Stipulation and Proposed Order is made with reference to the following facts:

1. Defendants John Kennedy and Robert Samuelson have moved to dismiss the Complaint filed by Hill's Pet Nutrition, Inc. ("Hill's Pet"). Kennedy's and Samuelson's motions to dismiss are premised on lack of jurisdiction over their persons.

2. Hill's Pet has or will shortly serve Kennedy and Samuelson with written discovery requests regarding their contacts with Kansas, the forum state in which this action was filed. Hill's Pet may also serve Kennedy and Samuelson with notices of deposition in the event that it determines that depositions are necessary to elucidate evidence pertinent to their Motions

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to Dismiss. Defendants Kennedy and Samuelson reserve the right to object to subsequent deposition discovery on personal jurisdiction issues.

3. The parties agree that it would be desirable for Hill's Pet to file a single responsive brief to Kennedy's and Samuelson's Motions to Dismiss after Kennedy and Samuelson have responded to and fully complied with Hill's Pet's discovery requests regarding personal jurisdiction.

Accordingly, IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the undersigned parties, that:

1. Hill's Pet shall file its response to the Motions to Dismiss filed by John Kennedy and Robert Samuelson seven days after Kennedy and Samuelson respond to and fully comply with Hill's Pet's written personal jurisdiction discovery or, if Kennedy and Samuelson are deposed by Hill's Pet on personal jurisdiction issues, within seven days of such depositions.
2. John Kennedy and Robert Samuelson shall have through and including fourteen days after the filing of Hill's Pet's response brief to file any reply in support of their Motions to Dismiss.

Dated: July 24, 2000



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Respectfully submitted,



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SO ORDERED:



Thomas F. Hogan

United States District Judge



Dated: 24 July 2000